

REMARKS

Reconsideration is respectfully requested in view of the foregoing amendments and the remarks which follow.

By this Amendment claims 106, 108, 109, 111-116 and 120 have been cancelled, without disclaimer or prejudice.

Claims 105, 107, 110 and 117-119 have been amended. These amendments are all supported in the as-filed application.

The claims presently pending in the application are 105, 107, 110 and 117-119.

Claims 105-108, 114-116 and 118-120 stand rejected under 35 U.S.C. § 102(b) as being anticipated by the Patel article in *Genomics*, 1998. This rejection is respectfully traversed.

The arguments presented in the Amendment of July 6, 2007 are repeated and incorporated herein by reference. The isolated R1 allelic variant recited in claim 105 is said to be at nucleotide position 125 from the 5' end of SEQ ID NO:1. It is respectfully submitted that by the amendments made to claim 105, as well as the claims dependent thereon, and claims 118 and 119 distinguish over the teaching of Patel and the claim is also definite in the sense of 35 U.S.C. § 112. Accordingly, withdrawal of the § 102(a) rejection is respectfully solicited.

The Examiner has also rejected claims 105-120 under 35 U.S.C. § 102(a) over the article by Magarkatti et al., *Journal of Human Genetics*, 2002. This rejection is respectfully traversed.

The isolated R3 allelic variant recited in claim 107 is said to be at nucleotide position 87 from the 5' end of SEQ ID NO:2. Claim 107 and claims 118 and 119 now distinguish over the teachings of the reference, and are also deemed to be definite in the

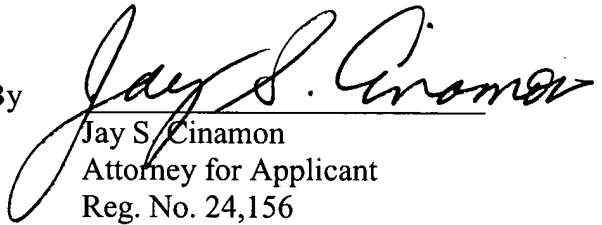
sense of 35 U.S.C. § 112. Accordingly, the rejection under § 102(a) is deemed to be overcome. Withdrawal of the rejection is respectfully solicited.

The issuance of a Notice of Allowance is respectfully solicited.

Please charge any fees which may be due and which have not been submitted herewith to our Deposit Account No. 01-0035.

Respectfully submitted,

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